

## PUBLIC HEALTH DEPARTMENT[641]

### Notice of Intended Action

**Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”**

**Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.**

Pursuant to the authority of Iowa Code section 135.11, the Department of Public Health hereby gives Notice of Intended Action to amend Chapter 9, “Outpatient Diabetes Education Programs,” Iowa Administrative Code.

The rules in Chapter 9 describe the standards for outpatient diabetes self-management education programs and the procedures programs must follow for certification by the Iowa Department of Public Health that will allow for third-party reimbursement. The proposed amendments expand credentialing bodies, clarify curriculum, add definitions and update bureau and division references and contact information.

Any interested person may make written suggestions or comments on the proposed amendments on or before October 12, 2010. Such written materials should be directed to Jill Myers Gadelmann, Chief, Bureau of Chronic Disease Prevention and Management, Iowa Department of Public Health, 321 East 12th Street, Des Moines, Iowa 50319-0075.

Also, there will be a public hearing on October 12, 2010, at 10:30 a.m. in Room 518 of the Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa, at which time persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendments.

Any persons who intend to attend the public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Iowa Department of Public Health and advise of specific needs.

These amendments are intended to implement Iowa Code chapter 135.

The following amendments are proposed.

ITEM 1. Adopt the following new definitions in rule **641—9.2(135)**:

“AADE” means the American Association of Diabetes Educators.

“Accredited” means that a program is currently accredited by the American Association of Diabetes Educators.

“Recognized” means that a program is currently recognized by the American Diabetes Association.

ITEM 2. Amend rule **641—9.2(135)**, definitions of “Licensed dietitian,” “Pharmacist,” “Physician” and “Registered nurse,” as follows:

“Licensed dietitian” means a person currently licensed to practice dietetics ~~under Iowa Code chapter 152A.~~

“Pharmacist” means a person currently licensed to practice pharmacy ~~under Iowa Code chapter 155.~~

“Physician” means a person currently licensed to practice medicine and surgery, osteopathic medicine and surgery, or osteopathy ~~under Iowa Code chapters 148 and 150A.~~

“Registered nurse” means a person currently licensed to practice professional nursing ~~under Iowa Code chapter 152.~~

ITEM 3. Amend subrule 9.3(1) as follows:

**9.3(1)** Develop minimum standards in ~~consultation~~ coordination with the American Diabetes Association, ~~Great Plains affiliate~~ and the American Association of Diabetes Educators.

ITEM 4. Amend paragraph **9.3(3)“c”** as follows:

c. The certification package is available from the Bureau of ~~Health Promotion~~ Chronic Disease Prevention and Management, Division of ~~Substance Abuse and Health Promotion and Chronic Disease~~

Prevention, Iowa Department of Public Health, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0075.

ITEM 5. Amend rule 641—9.4(135) as follows:

**641—9.4(135) Application procedures for American Diabetes Association-recognized or American Association of Diabetes Educators-accredited programs.** When the program is recognized by the American Diabetes Association or accredited by the American Association of Diabetes Educators, the program shall apply for certification to the department by submitting a copy of the Certificate of Recognition provided by ADA or the Certificate of Accreditation provided by AADE, the name, address and telephone number for the program, the name of the program coordinator and the name of the program physician. In addition, since the ADA recognition program or the AADE accreditation program does not require the participation of a pharmacist but the Iowa law does, an ADA-recognized or AADE-accredited program shall submit the name(s), license number(s) and continuing education hours of the pharmacist(s) who serves as program staff. A pharmacist shall be a primary or supporting instructor or advisory committee member and shall meet the education requirements in 9.8(6), 9.8(7) or 9.8(8). ~~The expiration date for the certification of an ADA-recognized program shall be six months after the expiration date of the ADA recognition.~~

ITEM 6. Amend rule 641—9.5(135) as follows:

**641—9.5(135) Renewal procedures for American Diabetes Association-recognized or American Association of Diabetes Educators-accredited programs.** Programs shall renew their certification every three years, at least 30 days prior to the expiration date. To apply for renewal of certification, the ADA-recognized or AADE-accredited program shall submit a copy of the new ADA Certificate of Recognition or AADE Certificate of Accreditation, the name, address and telephone number for the program, the name of the program coordinator, the name of the program physician, and the name(s), license number(s), and continuing education hours of the pharmacist(s) who serves as program staff. A pharmacist shall be a primary or supporting instructor or advisory committee member and shall meet the continuing education requirements in ~~9.9(6)~~ 9.9(7).

ITEM 7. Amend rule 641—9.6(135), catchwords, as follows:

**641—9.6(135) Application procedures for programs not recognized by the American Diabetes Association or accredited by the American Association of Diabetes Educators.**

ITEM 8. Amend subrule 9.6(2) as follows:

**9.6(2)** Applications from programs not recognized by ADA or accredited by AADE shall provide the following information:

a. to d. No change.

e. A description of the curriculum designed to instruct the participant with diabetes how to achieve self-management competency. The curriculum shall cover the same ~~15~~ content areas as are required by the ADA for recognition or the AADE for accreditation including: ~~These topics are listed below.~~

(1) Diabetes overview: includes content about the diabetes disease process, pathophysiology and treatment/management options.

(2) Stress and psychological adjustment: includes developing personal strategies to address psychological issues, healthy coping, and problem solving.

(3) Family involvement and social support: includes strategies for safety and risk reduction and creating healthy environments and social supports.

(4) Nutrition: includes incorporating nutritional management (healthy eating) into lifestyle.

(5) Exercise and activity: includes incorporating physical activity (being active) into lifestyle.

(6) Medications: includes using medications safely and for maximum therapeutic benefit.

(7) Monitoring and use of results: includes monitoring blood glucose and other health indicators or parameters and interpreting and using the results for self-management decision making.

~~(8) Relationship among nutrition, exercise, medication and blood glucose levels.~~

~~(9)~~ (8) Prevention Reducing risks: includes prevention, detection, and treatment of acute complications and chronic complications as well as foot, skin and dental care.

~~(10) Prevention, detection, and treatment of chronic complications.~~

~~(11) Foot, skin, and dental care.~~

(12) (9) Behavior change strategies, goal setting, risk-factor reduction, and problem solving; includes personal goals and strategies to address risks and build positive habits.

~~(13) Benefits, risks, and management options for improving glucose control.~~

(14) (10) Preconception care, pregnancy, and gestational diabetes.

~~(15) (11) Use of health care systems and community resources.~~

ITEM 9. Amend rule 641—9.7(135), catchwords, as follows:

**641—9.7(135) Diabetes program management for programs not recognized by the American Diabetes Association or accredited by the American Association of Diabetes Educators.**

ITEM 10. Amend rule 641—9.8(135), catchwords, as follows:

**641—9.8(135) Program staff for programs not recognized by the American Diabetes Association or accredited by the American Association of Diabetes Educators.**

ITEM 11. Amend rule 641—9.9(135) as follows:

**641—9.9(135) Renewal application procedures for programs not recognized by the American Diabetes Association or accredited by the American Association of Diabetes Educators.** Every three years, programs shall provide the following information to the department at least 30 days prior to the expiration date.

**9.9(1) to 9.9(3)** No change.

**9.9(4)** A description of the program evaluation process.

~~9.9(4)~~ **9.9(5)** A description of any changes from the previous application.

~~9.9(5)~~ **9.9(6)** A list of new program staff by name, license number or registration number, and position with the program. New staff who will serve as primary instructors shall submit documentation of their training in diabetes as addressed in 9.8(6). New staff serving as supporting instructors shall submit documentation of their training as addressed in 9.8(7).

~~9.9(6)~~ **9.9(7)** Documentation of continuing education hours accrued since the previous application for current staff and new staff.

*a. to c.* No change.

ITEM 12. Amend rule 641—9.10(135) as follows:

**641—9.10(135) Annual report.** Summary data shall be completed annually by each program and sent to the department. The data shall include but not be limited to the number of times the program was presented, the number of outpatients that participated, and a summarized description of program participants including type of diabetes, age, race and sex.

ITEM 13. Amend subrule 9.12(1) as follows:

**9.12(1)** The department shall accept complaints of alleged problems relating to certified outpatient diabetes self-management programs. The information shall state in a reasonably specific manner the basis of the complaints and be presented in writing, in person or by telephone to: Bureau of ~~Health Promotion~~ Chronic Disease Prevention and Management, Division of ~~Substance Abuse and Health Promotion and Chronic Disease Prevention~~, Iowa Department of Public Health, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0075; (515)281-6779 5616.

ITEM 14. Amend subrule 9.14(7) as follows:

**9.14(7) *Petition for judicial review.*** Any petition for judicial review of a decision and order shall be filed in the district court within 30 days after the decision and order becomes final. A copy of the notice of appeal shall be sent to the director by certified mail, return receipt requested, or by personal service.

The address is: Iowa Department of Public Health, Lucas State Office Building, 321 East 12th Street, Des Moines, Iowa 50319-0075.